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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/896,429
	Filing Date	June 29, 2001
	First Named Inventor	Gordon S. Scholler
	Art Unit	3739
	Examiner Name	A. M. Farah
Total Number of Pages in This Submission	Attorney Docket Number	HO-P02540US1

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): *Response to Notice of Non-Complaint Amendment *Return Receipt Postcard
<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	FULBRIGHT & JAWORSKI L.L.P. Edward D. Steakley - 47,964
Signature	<i>Edward D. Steakley</i>
Date	SEPTEMBER 3, 2004

Transmittal	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. ER393630367US, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.	
Dated: 9/3/04	Signature: <i>Elena Maglito</i> (Elena M. Maglito)

9/07/04

3739
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I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. ER393630367US, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 9/3/04

Signature: Elena Magliitto

(Elena M. Magliitto)

Docket No.: HO-P02540US1
(PATENT)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Gordon S. Scholler

Application No.: 09/896,429

Art Unit: 3739

Filed: June 29, 2001

Examiner: A. Farah

For: IMPROVED APPLANATION LENS AND
METHOD FOR OPHTHALMIC SURGICAL
APPLICATIONS

**RESPONSE TO NON-COMPLAINT AMENDMENT FOR
RESPONSE TO OFFICE ACTION DATED 3-29-2004**

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

In response to the Notice of Non-Compliance Amendment, the following is submitted:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.